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Attorney Docket No. CSLL-624
56247-188

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: William P. Kelleher et al.
Serial No. 09/916,419
Filing Date: July 27, 2001
Title: FLUORESCENCE DETECTION SYSTEM INCLUDING A PHOTONIC
BAND GAP STRUCTURE
Art Unit: 2878

CERTIFICATION UNDER 37 CFR § 1.8

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Date

5-22-02

Diane Valeta

Assistant Commissioner for Patents
Washington, DC 20231

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LETTER TO EXAMINER

TC 1700

Enclosed is a copy of our Request to Rescind Previous Non-publication Request (35 USC 122(b)(2)(B)(ii)), which was filed on October 29, 2001. Also enclosed is a copy of the acknowledgement postcard bearing a January 15, 2002 date of receipt. The enclosed copy of the USPTO Filing Receipt dated 4/17/02 for this application does not reflect the Request to Rescind non-publication. Please issue a corrected Filing Receipt.

Thank you for your attention to this matter.

Respectfully submitted,

Elizabeth E. Kim

Elizabeth E. Kim, Reg. No. 43,334
McDermott, Will, & Emery
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Fax 617-535-3800

Date: May 21, 2002



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PTO/SB/36 (4-01)

Approved for use through 10/31/2002. OMB 0651-0031

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**REQUEST TO RESCIND PREVIOUS
NONPUBLICATION REQUEST
35 U.S.C. 122(b)(2)(B)(ii)**

Application Number	09/916,419
Filing Date	July 27, 2001
First Named Inventor	Kelleher
Title	FLUORESCENCE DETECTION SYSTEM INCLUDING A PHOTONIC BAND GAP...
Atty Docket Number	CSLL-624
Group Art Unit	2878
Examiner	

I hereby **rescind** the previous request that the above-identified application not be published under 35 U.S.C. 122(b).

October 29, 2001

Date

Elizabeth E. Kim

Signature

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Elizabeth E. Kim

Typed or printed name

TC 1700

This request must be signed in compliance with 37 CFR 1.33(b).

Note: Filing this rescission of a previous nonpublication request is considered the notice of a subsequent foreign or International filing required by 35 USC 122(b)(2)(B)(iii) and 37 CFR 1.213(c) if this rescission is filed no later than forty-five days (45) days after the date of filing of such foreign or international application. See 37 CFR 1.137(f) if a notice of subsequent foreign or International filing required by 35 USC 122(b)(2)(B)(iii) and 37 CFR 1.213(c) is **not** filed within forty-five days (45) days after the date of filing of the foreign or international application.

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Name (Print/Type)	Diane Valeta
Signature	<u>Diane Valeta</u>
Date	10/29/01

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(b). The information is used by the public to rescind a previously filed request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that rescission). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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Re Application of: Kelleher

Due Date: 10/30/01

Mailed: 10/29/01

Mailer: dv

For: FLUORESCENCE DETECTION SYSTEM INCLUDING A PHOTONIC BAND GAP
STRUCTURE

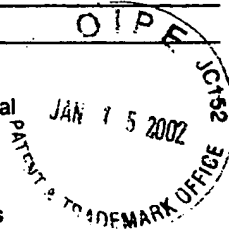
Serial No. 09/916,419

Patent No.

Docket: CSLL-624
56247-188

In the above matter, the following has been received in the U.S. Patent and Trademark Office on the date stamped hereon.

- | | |
|---|--|
| <input type="checkbox"/> Specification, Abstract and
() Claims — () Total Pages | <input type="checkbox"/> Extension of time _____ |
| <input type="checkbox"/> Declaration and Power | <input type="checkbox"/> Amendment _____ |
| <input type="checkbox"/> Drawing (sheets) | <input checked="" type="checkbox"/> Cert. of Mailing \$1.8 |
| <input type="checkbox"/> Assignment _____ | <input type="checkbox"/> Maintenance Fee Transmittal |
| <input type="checkbox"/> Check \$ _____ | <input type="checkbox"/> Affidavit (w/wo Exhibits) |
| <input type="checkbox"/> Request for Recordation | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Brief () copies |
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| <input checked="" type="checkbox"/> Request to Rescind Previous Nonpublication Request 35 USC | <input type="checkbox"/> Transmittal letter |
| <input type="checkbox"/> 122(b)(2)(B)(ii) | |



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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/916,419	07/27/2001	2878	429	CSLL-624	4	21	2

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CONFIRMATION NO. 8855

UPDATED FILING RECEIPT



OC000000007881054

Date Mailed: 04/17/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

William P. Kelleher, Acton, MA;
Stephen P. Smith, Medford, MA;
Richard E. Stoner, Framingham, MA;

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Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/244,279 10/30/2000

Foreign Applications

If Required, Foreign Filing License Granted 10/16/2001

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

** SMALL ENTITY **

Title

Fluorescence detection system including a photonic band gap structure

Preliminary Class

DOCKETED

CM

5/2/02 Corr. Filing Receipt

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